

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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OSCAR BAIDE FERRERA,

Plaintiff,

-v-

BRIAN FISHER, et al.,

Defendants.  
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13 Civ. 3055 (PAE)

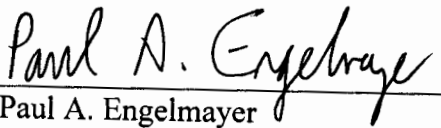
OPINION & ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has received a letter from *pro so* plaintiff Oscar Baide Ferrera. Dkt. 96. The Court is sorry to hear that Mr. Ferrera continues to suffer from medical conditions and other problems. However, this case was closed on April 1, 2014. Dkt. 87–88. As the Court explained in its Opinion and Order on that date, Mr. Ferrera’s claims had to be dismissed for two reasons. First, Mr. Ferrera had fully litigated some of his claims in earlier cases, and the doctrine of *res judicata* prevents a person from re-litigating the same claims simply because he disagrees with the outcome. Dkt. 87, at 6. Second, the statute of limitations required Mr. Ferrera to file his claims within three years, and so Mr. Ferrera’s complaint of injuries in 2002 and 2004 was filed many years too late. Dkt. 87, at 7–8.

The Court is therefore unable to grant Mr. Ferrera’s request for a hearing or jury trial. If Mr. Ferrera has new claims—about injuries that occurred within the applicable statute of limitations and were not addressed in a prior case—he is at liberty to file a new complaint. Mr. Ferrera can address any questions about that process to the *pro se* office at 212-805-0175.

SO ORDERED.



Paul A. Engelmayer  
United States District Judge

Dated: January 23, 2015  
New York, New York